

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JEREMY LEVIN and DR. LUCILLE LEVIN,

Plaintiffs,

against

BANK OF NEW YORK, JPMORGAN
CHASE, SOCIÉTÉ GÉNÉRALE and
CITIBANK,

Defendants.

CITIBANK, N.A.,

Third-Party Plaintiff,

against

INTERNATIONAL BANK CJSC,

Third Party Defendants,

FILLED UNDER SEAL

Case No.09 Civ 59000 (RPP)

**ANSWER TO A THIRD-PARTY COMPLAINT
AGAINST "ACCOUNT HOLDERS AND
WIRE TRANSFER PARTIES WITH RESPECT TO
PHASE TWO ASSETS IN ACCORDANCE WITH
THE COURT'S SEPTEMBER 16, 2011 ORDER"**

**I.
DENIALS**

"[REDACTED] International Bank" CJSC (hereinafter referred to as "Bank" or "[REDACTED] IB"), pointed in Third-party complaint as Third Party Defendant, represented by the General Manager [REDACTED] and Legal Director [REDACTED], acting under and authorized by the Charter of the Bank, alleges as follows:

1. Defendant and Third Party Plaintiff Citibank indicated in paragraph 8 of "Third-Party complaint" that third-party proceeding had been brought by it with respect to "... beneficiaries' banks ... of or in one or more of certain wire transfer so that they may assert their claim, if any, to one or more of those assets" and indicated in schedule A: 1) our Bank as beneficiary bank 2) [REDACTED] Sazeh ([REDACTED]) Co. as beneficiary for transfer in amount of [REDACTED]. However such kind of transfers weren't received by our Bank to the accounts of clients at all.

2. Also in the third sentence in paragraph 13 of Third-Party complaint is shown that "Third Party Defendant [REDACTED] International Bank is a corporation organized and existing under the laws of Kyrgyzstan with its principal place of business in Bishkek, Kyrgyzstan." This information is fully true.

3. In the same paragraph 13 of Third-Party complaint has pointed (below above-mentioned information in forth sentence of paragraph 13) that "...Third-Party Defendant "[REDACTED] Sazeh ([REDACTED]) Co" is a corporation organized and existing under the laws of Iran with its principal place of business in Mashhad, Iran". This information may be true, but doesn't concern to [REDACTED] IB's client "[REDACTED] Sazeh [REDACTED]" with the similar to mentioned above name of company, which is also pointed by Citibank as Third-Party defendant. Moreover according to [REDACTED] issued by "Statistics State Committee of the Republic of Tajikistan" ([REDACTED]) presented to the Bank by customer "[REDACTED] Sazeh [REDACTED]" is a corporation organized and existing under the laws of the Republic of Tajikistan with its principal place of business in [REDACTED]. This fact proves that our customer "[REDACTED] Sazeh [REDACTED]" is not registered in Mashhad, Iran and if it were any transfers through Citibank to its account in our bank it did not violate any OFAC's restrictions. As the proof of the above mentioned the copy of the [REDACTED] issued by "Statistics State Committee of the Republic of Tajikistan" is attached.

4. Taking into consideration the abovementioned "[REDACTED] International Bank" CJSC is **improper** Third-Party defendant because "[REDACTED] Sazeh ([REDACTED]) Co." (organized and existing under the laws of Iran with its principal place of business in Mashhad, Iran.) indicated by Citibank as beneficiary for transfer in amount of [REDACTED] isn't a customer of our bank and [REDACTED] IB isn't a beneficiary's bank as Citibank shown in Third-Party complaint. And as [REDACTED] IB pointed above in paragraph 1 such kind of transfer [REDACTED] hasn't been received by our Bank

11.

DEFENSES

In this section, state any legal theories that, even assuming that what plaintiff has alleged in the complaint is true, do not permit the plaintiff to win the case. Attach additional sheets of paper as necessary.

WHEREFORE: [REDACTED] "Internationa Bank" CJSC asks this Court to dismiss the complaint and enter judgment in favor of [REDACTED] "Internationa Bank" CJSC.

I declare under penalty of perjury that the foregoing is true and correct.

Authorized persons: 1. General manager /
2. Legal director/

Signatures: 1

Address:

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(city)	(country)	Stamp
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1000

State Committee on Statistics of the Republic of Tajikistan

Main computing center

to Director

Information letter of granting

of SAZEH

GO code and classification types

In accordance with provided constituent documents the MCC of the State Committee of the Republic of Tajikistan accomplished granting (confirmation) of codes of General Classifier of Businesses and Organizations (GCBO) and classification types (governance – National Classifier of Government Entities and Administration (NCGEA), location – National Classifier of Administrative Territorial Entities (NCATE), type of activity – National Classifier of Types of Activity (NCTA), legal form – Legal Organizational Form Code (FOC), form of ownership Form of Ownership Code (FOC), type of business – Type of Business Code (C)) business (organization, association).

SAZEH

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Please, in case of the change of the details of the businesses above, send to the MCC of the State Committee of the Republic of Tajikistan the corresponding information.

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имя



1633 Broadway
27th Floor
New York, NY 10019-6708

Megan C. Duffy
212.603.6411 tel
212.489.8340 fax

meganduffy@dwt.com

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From: Megan C. Duffy
Telephone: 212.603.6411
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SEND TO:

Name:	Company Confirmation number:	Fax number:
Hon. Robert P. Patterson, Jr.	U.S.D.C. S.D.N.Y.	(212) 805-7917
Suzelle Smith, Esq.	Howarth & Smith	(213) 622-0791
Howard B. Levi, Esq.	Levi Lubarsky & Feigenbaum LLP	(212) 308-8830
J. Kelley Nevling, Jr., Esq.		
Mark G. Hanchet, Esq.	Mayer Brown LLP	(212) 262-1910
Christopher J. Houpt, Esq.		
Liviu Vogel, Esq.	Salon Marrow Dyckman Newman	(846) 843 1928
Petek Gunay, Esq.	Broudy LLP	
Curtis C. Mechling, Esq.	Stroock & Stroock & Lavan LLP	(212) 806-6006
James Bernard, Esq.		
Anne Pennock Kaplan, Esq.	Fay Kaplan Law, PA	(202) 589-1721
Thomas Fortune Fay, Esq.		
Richard Kremen, Esq.	DLA Piper LLP (DC)	(202) 799-5000
Dale K. Cathell, Esq.		
Barbara L. Seniawski, Esq.	DLA Piper LLP (NY)	(212) 335-4501
Cary Brian Samowitz, Esq.		
Noel J. Nudelman, Esq.	Heideman Nudelman and Kalik, PC	(202) 463-2999
Keith Fleischman, Esq.	Fleischman Law Firm	(917)-591-5245
Jane Carol Norman, Esq.	Bond & Norman, PLLC	(202) 207-1041
James P. Bonner, Esq.	Stone Bonner & Rocco LLP	(212) 239-4310
Patrick L. Rocco, Esq.		
Susan Davies, Esq.		

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